MEMORANDUM FOR RECORD

Incident Date: 12/31/2022

Subject: "Employee Confirms Harassment of Complainant"

On December 31st, 2022, VA Police Officer, Todd UTHE, a White Male in his 30's, contacted me via cellphone at 1243 hours[1]. UTHE was requesting assistance and information regarding law enforcement functions. While speaking about law enforcement matters, UTHE mentioned how disparately management treated me, confirming the discrimination and ongoing harassment I experienced. I had brought up the day (07/28/2022) when UTHE had organized a meeting with VA Police Operations Major, Joseph OWENS, to address the negative issues with the department. I began expressing to UTHE how I felt I was mistreated that morning and without any leading statements or mentioning any specifics, UTHE immediately stated, *"Yep! I know exactly what you're talking about! The "Mister Tibbs" comment Fister[2] made to you."*

NOTE: I was surprised UTHE stated such because I did not recall speaking to UTHE about that incident and was unsure if he had heard it that morning or would have remembered.

UTHE further explained to me how he recently told FISTER how I was right in many matters that management refused to acknowledge.[3] Also, UTHE explained that when he discussed the disparate treatment of me, FISTER stated, "*BENNETT is just doing anything he can to get back at us.*" It is believed by both myself and UTHE, that such a comment made by FISTER gives credibility to the mistreatment I endured while employed with the Phoenix VA Police Department.

Starting around April through May of 2020, during the height of the Covid 19 pandemic and racial unrest in the United States; specifically, after the murder of George Floyd – I began experiencing indifference from the Phoenix VA Police Management. I had mail from the FBI, addressed to me, taken, and hidden from me – and received deprecatory emails. Continuing into 2021 and 2022, I was subjected to jokes, disregardment, and a non-conducive working schedule by FISTER – that had never been used before in the department's history.

Additionally, during this conversation, UTHE mentioned the Criminal Investigator positioned I interviewed for. UTHE stated that he and a large majority of the police

[1] This phone call with UTHE lasted twenty (20) minutes and ten (10) seconds. UTHE had also called at 1215 hours and 1057 hours, the same day, seeking assistance on law enforcement matters.

[2] Joshua FISTER is middle to older age white male who has been in management the entire duration that BENNETT was employed by the Phoenix VA Police Department. FISTER has strong conservative views and is known for making jokes about diversity, gender, and race.

[3] UTHE had personally witnessed how management used my ideas to promote a White police officer (Richard KENNEDY) using my criminal complaint guide, and ignored my federal arrest & booking guide. Specifically, UTHE was upset that they allowed him to use the process I developed, but ignored me – feeling at time that it was because I was a Black Male.

department felt I was the most qualified, as I was the first person in the department's known history to do the following:

- File a Federal Criminal Complaint (same as FBI agents)
- Attend a Federal Grand Jury
- Obtain a Federal Indictment
- A Federal Felony Case
- Have Someone Confined to Jail on Federal Charges
- Obtain A Guilty Plea for a Federal Felony
- Independently Set up the First Automated Fingerprint Identification System (AFIS)

Strangely, UTHE mentioned how VA Police Officer, Amber CAMFIELD, a White Female, and Lesbian, went to VA Police Chief, Tyler WHITT, and inquired about her non-selection for the Criminal Investigator position in 07/2022. UTHE explained to me that CAMFIELD mentioned how VA Police Officer, Joseph DECORMIS, an older White Male, pulled out of the Criminal Investigator application process – to the extent that he contacted human resources to officially have his application removed from the process. It is believed that WHITT specifically reached out to DECORMIS and instructed him to rescind his withdrawal – in an effort to prevent me from getting the position.

Ironically, then Captain, but now Major, Frederick DEWERTH, contacted me, via text message, on July 21st, 2022, and asked:

"Did you get your invite for the 1811 interview?[4] ***Chief said you hadn't confirmed*** *so I wanted to make sure you actually received your invite and didn't accidentally left [sic] off."*

To my surprise, I was informed by an officer that WHITT and DEWERTH reached out to DECORMIS on either 07/20/2022 or 07/21/2022. This information came to me after DEWERTH had contacted me; thus, coinciding with his text message to see if I was going to apply for the position.

It is believed that WHITT knew that I would have been the most qualified for one of the 1811 positions, if DECORMIS did not interview – due to his intensive law enforcement experience outside of the VA Police. There were questions regarding my wife going active-duty military from the U.S Army Reserves, and when I was leaving the department – to the point WHITT had told multiple individuals that a GS-8 Lead Police Officer – Sergeant slot would be available in June 2022[5]. Multiple management officials would ask when I was leaving, including FISTER, but I was truthful and told them I did not know.

When the 1811 (GS9) Criminal Investigator position, a dream job of mine, was posted, I decided to submit my application for it. My wife and I had lived apart multiple times in the past, and this was a job she knew I always wanted. So, if I was selected and had stayed,

[4] The complaint had interviewed a total of four (4) times with the Phoenix VA Police department and this was his first experience having management reach out to him to see if he was participating in the interview. Never in the complainant employment or experience with the federal government had this ever occurred for a position.

[5] There was a rumor going on in within the Phoenix VA Police Department that I was leaving in June – due to me obtaining my Time in Grade (TIG) as a GS8 in the month of June 2022.

she would have been understanding. I had completed a Criminal Investigations Training Program (CITP)[6] in 2019 and was certified as a Criminal Investigator.

The interview grading officials for the Criminal Investigator position was FISTER, DEWERTH, and OWENS – all white males, who have been promoted by WHITT. FISTER has been a grading official in my prior two interviews, and each time I was not selected for the position. UTHE even complained that the hiring method of the Phoenix VA Police Department is unfair and biased.

Based on this conversation with UTHE, and all the prior events of discrimination and ongoing harassment I experienced, I strongly believe this department needs to be investigated by the U.S. Equal Employment Opportunity Commission and the Office of Resolution Management, Diversity & Inclusion for their work practices, selections process, interview process, and hiring process.

"I, **Matthew Bennett**, declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct."

Matthew Bennett

Matthew Bennett

Digitally signed by Matthew Bennett
Date: 2023.02.06 16:31:05 -05'00'

[6] A Criminal Investigator Training Program (CITP) provides, on an interagency basis, a program of instruction that fulfills all the basic criminal investigative training requirements necessary for responsible and competent job performance. The program addresses common knowledge, skills, and abilities that are expected of all investigators.